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13  
14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA

16 COLUMBIA PICTURES  
17 INDUSTRIES, INC., *et. al.*

18 Plaintiffs,  
19 v.  
20 GARY FUNG, *et. al.*

21 Defendants.  
22  
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24 Case No. **CV-06-05578 SVW (JCx)**

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28 **NOTICE OF PLAINTIFFS'**  
**MOTION FOR SUMMARY**  
**JUDGMENT ON AFFIRMATIVE**  
**DEFENSES OF FAIR USE AND**  
**FAILURE TO MITIGATE**

Date: September 23, 2013

Time: 1:30 PM

Ctrm: 6

Judge: The Hon. Stephen V. Wilson

1                   **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2                   **PLEASE TAKE NOTICE** that on September 23, 2013, at 1:30 PM, in  
3 Courtroom 6 of the above-entitled Court, located at 312 N. Spring Street, Los  
4 Angeles, California 90012, the above-named plaintiffs will and hereby do move the  
5 Court for an order entering summary judgment on affirmative defenses of fair use  
6 and failure to mitigate.

7                   This Motion is based on the attached Plaintiffs' Memorandum In Support of  
8 Motion For Summary Judgment and Plaintiffs' Statement of Uncontroverted Facts  
9 and Conclusions of Law in Support of Motion for Summary Judgment. This motion  
10 is made following discussions of counsel pursuant to Local Rule 7-3 on August 9,  
11 2013, and August 16, 2013.

12  
13 Dated: August 26, 2013

Respectfully submitted,  
JENNER & BLOCK LLP  
By: /s/ Steven B. Fabrizio  
Steven B. Fabrizio

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